

## **Medicaid Provider Background Check FAQ**

### **Who is required to have a background check?**

The Affordable Care Act (Section 6401), under 42 CFR 455.434, identifies certain Medicaid provider and supplier applicants who are required to submit to criminal background checks. Only owners with a 5% direct or indirect ownership interest that are designated as “high risk” providers per 42 CFR 455.450 are subject to a criminal background check review. High risk providers are providers that deliver Home Health Services, Durable Medical Equipment services, those providers/owners that have been sanctioned within the last 10 years, or those providers with an existing State Medicaid Plan qualifying overpayment.

### **Do I need a background check if I am a Medicare Provider?**

If you are a Medicare provider and were required to submit fingerprints for a background check by Medicare, then you will not be required to do this again for NH Medicaid. NH Medicaid will rely on the Medicare background check.

### **Do I need a background check if I completed a background check for Medicaid in another State?**

If you completed a background check in another State, then you will not be required to do this again for NH Medicaid, unless NH Medicaid cannot access the background information from the other State.

### **I am currently enrolled with NH Medicaid; do I need a background check?**

If you are a currently enrolled NH Medicaid provider and you submitted your provider enrollment application with NH Medicaid prior to August 1, 2015, then you will not need to be fingerprinted for a background check. If your provider enrollment application with NH Medicaid was submitted on or after August 1, 2015 and you are a high risk provider that did not have a background check by Medicare or another State Medicaid, then you will be required to submit fingerprints for a criminal background check.

### **How will I know if NH Medicaid is requiring me to get fingerprinted?**

A letter will be sent to you directly, including the fingerprint form to be completed, informing you that you are required to submit fingerprints for a criminal background check. You will have 30 days from the date of the letter to get fingerprinted.

### **Where do I go to get fingerprinted?**

You will need to get fingerprinted at a LiveScan site. These are located at the following Department of Safety stations:

- **NH Department of Safety:** 33 Hazen Drive (James H. Hayes Building), Concord
- **DMV Dover Point:** 50 Boston Harbor Road, Dover
- **DMV Manchester Commons:** 377 South Willow Street, Manchester
- **Troop E – Ossipee Area:** 1863 White Mountain Highway, Tamworth
- **Troop C – Keene Area:** 15 Ash Brook Court, Keene
- **Troop F – Littleton Area:** 549 Route 302, Twin Mountain

There are some local police stations that also do LiveScan fingerprinting. You will have to call and check with your local police station to see if they do LiveScan.

### **What is LiveScan?**

LiveScan is a digital fingerprinting system. Your fingerprints will be scanned into the system and electronically sent for the background check.

### **Do I need an appointment for fingerprinting?**

It is highly recommended that you make an appointment for your fingerprinting prior to going to a Livescan site.

### **What is the cost of fingerprinting and where do I pay?**

The cost for LiveScan fingerprinting is presently \$47.00. You pay this when you go to get fingerprinted. The check is made out to [State of NH – Criminal Records](#). If you choose to go to a local police station that has LiveScan, the local police station may charge an additional fee. You will have to check with your local police station when making the appointment.

This fee is determined by the Department of Safety and the Federal government, and is subject to change.

### **Do I have to use the form from NH Medicaid to get the fingerprints?**

Yes. All forms are coded by the Department of Safety and this is the only way the Department of Safety will know where to send the background check received. If you use another form or no form at all the background check will not be received by DHHS.

### **What if I lose my form, can I get another one at the LiveScan site?**

If you lose your form you **must** contact DHHS Office of Improvement & Integrity at (603)271-7641 to obtain a new form. The LiveScan sites do not have blank forms on site for you to use.

### **Do I need to submit anything to DHHS after I have been fingerprinted?**

No. Your background check will be sent directly to DHHS once completed. However, you should keep a copy of your paperwork and a receipt in case your background check is delayed and you need proof that the fingerprinting was completed.

### **When will NH Medicaid implement the fingerprinting process?**

On November 1, 2016 NH Medicaid will be sending out letters to current active high risk providers that will need to be fingerprinted. Any new or open provider enrollment applications on or after November 1, 2016 will be subject to fingerprinting as part of the application enrollment process.

### **How will NH Medicaid conduct the criminal background check?**

It takes 5 to 7 days from the date of fingerprinting for the department to receive the criminal background check information. NH Medicaid will review all information received and make a determination as to the

owner's suitability for enrollment based on the criteria in He-W 520.06. NH Medicaid will notify the provider if the enrollment application is being denied due to the criminal background check or if an active provider is being terminated due to the criminal background check.

**What are the disqualifying crimes that would prevent an owner from having their facility or practice/group becoming enrolled as NH Medicaid provider?**

Providers will be terminated from, or denied enrollment in, the NH Medicaid program if the individual fails to get fingerprinted within 30 days of the letter sent requiring fingerprinting or the results of the criminal background check indicate that the individual has been convicted of any of the following federal or state felony offenses within the 10 years preceding the date of application or date of revalidation of enrollment:

- Felony crimes against persons, such as murder, sexual assault, assault, interference with freedom, destruction of property, unauthorized entries, robbery and theft, fraud and corruption, and other similar crimes for which the individual was convicted, including guilty pleas;
- Financial crimes, such as extortion, embezzlement, income tax evasion, insurance fraud, and other similar crimes for which the individual was convicted, including guilty pleas; or
- Any felony that placed the Medicaid program or its recipients at immediate risk, such as a malpractice suit that results in a conviction of criminal neglect or misconduct.

**Is there an appeal process?**

If you as an individual owner believe your criminal history is inaccurate or incorrect, you would appeal those issues to the NH Department of Safety.

**Once I am fingerprinted, how long will it take for NH Medicaid to make a determination?**

NH Medicaid will have 2 weeks to review the background check once the information is received.

**My practice/group is not located in New Hampshire; do I have to come to New Hampshire for fingerprinting?**

No, the individual owner will need to go to an acceptable or authorized site in their State that conducts electronic fingerprinting to have the fingerprinting process done. The background check information will be sent to the NH Department of Health and Human Services through the NH Dept. of Safety. You must use the NH Medicaid background form that is sent to you. This form has the necessary coding to ensure the proper routing of the background check to NH Department of Safety. If another form is used, the background check will not be sent to New Hampshire.

**Where may I obtain more information about fingerprinting process?**

You should contact the Department of Safety for more information on how LiveScan works, the process for submitting fingerprints, and about the background check information that is received and sent to NH Medicaid.